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*Attorney for Defendants*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
EUGENE DIVISION

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
MICHAEL BACKLUND AND LINDA  
BACKLUND,  
  
Defendants.

Case No. CR 09-477-MO

**DECLARATION OF JAMES L.  
BUCHAL IN SUPPORT OF  
DEFENDANTS' UNOPPOSED  
MOTION FOR A CONTINUANCE**

James L. Buchal declares:

1. I am presently the attorney for both defendants. I am informed by the U.S. Attorney that such joint representation is highly unusual, and mention it to the Court because if the Court has any concerns about such joint representation, it may be possible to avoid them any potential issue by representing either the husband or wife alone, leaving one party *pro se*, but this would seem to cause more administrative inconvenience than it is worth.

2. At the arraignment of defendants, I specifically advised Magistrate Acosta on the record that I had longstanding plans to be out of the country from February 16<sup>th</sup> through 27<sup>th</sup>, including the proposed trial date of February 23<sup>rd</sup>. The tickets and

associated arrangements are nonrefundable. Magistrate Acosta set the trial date on February 23<sup>rd</sup> anyway, on the assumption that this group of cases would require further management and alternative dates.

3. I have discussed alternative trial dates with Assistant U.S. Attorney Dwight Holton, and am informed that the U.S. Attorney has no objection to the May 11<sup>th</sup> date. I have also confirmed that my clients are agreeable to this date.

4. The extension of such length is appropriate because of the complexity of the case, the need to complete discovery, and the likelihood of pretrial motions.

I certify under penalty of perjury that the foregoing is true and correct.

Executed on January 29, 2010.

*s/ James L. Buchal*  
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**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing Declaration of James L. Buchal in Support of Defendants' Unopposed Motion for a Continuance on the following attorneys by causing it to be electronically filed on January 29, 2010. According to prior case notices, each are enrolled in the Court's electronic notice system.

Dwight C. Holton  
Neil J. Evans  
Assistant United States Attorney  
United States Attorney's Office  
1000 S.W. Third Avenue, Suite 600  
Portland, OR 97204

*s/ Carole A. Caldwell*